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Attorneys for Plaintiffs,
ARISTA RECORDS LLC; UMG
RECORDINGS, INC.; and SONY BMG
MUSIC ENTERTAINMENT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARISTA RECORDS LLC, a Delaware limited
liability company; UMG RECORDINGS, INC.,
a Delaware corporation; and SONY BMG
MUSIC ENTERTAINMENT, a Delaware
general partnership,

Plaintiffs,

v.

JOHN DOE,

Defendant.

CASE NO. :07-CV-04878-MMC

Honorable Maxine M. Chesney

***EX PARTE APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND ~~PROPOSED~~ ORDER***

1 Plaintiffs respectfully request that the Court continue the case management conference
2 currently set for January 4, 2008, at 10:30 a.m. to April 4, 2008.

3 Plaintiffs filed the Complaint against Defendant John Doe ("Defendant") on September 20,
4 2007. Also on September 20, 2007, Plaintiffs filed their *Ex Parte* Application for Leave to Take
5 Immediate Discovery seeking the Court's permission to serve a Rule 45 subpoena on California
6 State University – Monterey Bay ("Cal State Monterey Bay"), so that Plaintiffs could obtain
7 information sufficient to identify Defendant. On October 1, 2007, this Court issued its Order
8 Granting Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery authorizing
9 Plaintiffs to serve a Rule 45 subpoena on Cal State Monterey Bay. On November 30, 2007, Cal
10 State Monterey Bay responded to Plaintiffs' subpoena, providing Plaintiffs with identifying
11 information including Defendant's name, telephone number, and address.

12 Now that Plaintiffs know Defendant's identity, and in hopes of avoiding further litigation,
13 Plaintiffs have sent a letter to Defendant asking her to contact Plaintiffs regarding possible
14 settlement of this matter. If the parties do not reach a settlement, Plaintiffs will file an amended
15 complaint naming Defendant personally.

16 Given the foregoing circumstances, and because there is not yet a named defendant in this
17 case, a case management conference is unnecessary at this time. Plaintiffs therefore request that the
18 Court continue the case management conference currently set for January 4, 2008, at 10:20 a.m. to
19 April 4, 2008.

20 Dated: December 20, 2007

HOLME ROBERTS & OWEN LLP

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22 By: /s/ Matthew Franklin Jaksa
23 MATTHEW FRANKLIN JAKSA
24 Attorney for Plaintiffs
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ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently set for January 4, 2008, at 10:30 a.m. be continued to April 4, 2008.

Dated: December 28, 2007

By:


Honorable Maxine M. Chesney
United States District Judge